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PTO/SB/05 (03-01)

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 9195-081-999 Total Pages 137

First Named Inventor or Application Identifier

Eugene H. Herman et al.

Express Mail Label No. EL 477 033 638 US

**APPLICATION ELEMENTS**  
See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
*Submit an original, and a duplicate for fee processing)*
2. ☐ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
3. ☒ Specification [Total Pages 131]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description of the Invention (including drawings, if filed)
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 2]
5. ☒ Oath or Declaration [Total Sheets 2]
  - ☐ Newly executed (original or copy)
  - ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 19 completed)
  - i. ☐ DELETION OF INVENTORS(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(i).  
Applicant must attach form PTO/SB/35 or it's equivalent
17. ☐ Other:

**18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: filed .

**19. CORRESPONDENCE ADDRESS**

Customer Number:



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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

**PENNIE & EDMONDS LLP**  
 COUNSELLORS AT LAW  
 1155 Avenue of Americas  
 New York, N.Y. 10036-2711

ATTORNEY DOCKET NO. 9195-081-999Date: December 27, 2001

Assistant Commissioner for Patents  
 Box PATENT APPLICATION  
 Washington, D.C. 20231

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): Eugene H. Herman, Gordon D. Holt, Frank D. Sistare and Jun Zhang

Executed on: Unexecuted

Title of Invention: PROTEINS, GENES AND THEIR USE FOR DIAGNOSIS AND TREATMENT OF CARDIAC RESPONSE

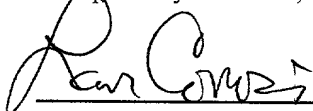
**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	65	-20	45	\$18.00 each	\$ 810.00
Independent	16	-3	13	\$84.00 each	\$ 1,092.00
Minimum Fee					\$ 740.00
Multiple Dependency Fee If Applicable (\$280.00)					\$ 270.00
<b>Total</b>					\$ 2,912.00
Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 0.00
<b>Total Filing Fee</b>					\$ 2,912.00

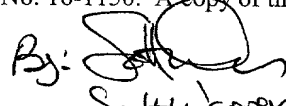
- ☐ **DO NOT PUBLISH.** I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
- ☐ Priority of application no. filed on in is claimed under 35 U.S.C. § 119.
- ☐ The certified copy of the priority application has been filed in application no. filed
- ☐ Amend the specification by inserting before the first line the following sentence: This is a continuation-in-part of application no. filed .

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,



Laura A. Coruzzi  
 PENNIE & EDMONDS LLP

By:  47,167  
 Scott W. Men Reg No.

30,742

(Reg. No.)

Enclosure

This form is not for use with continuation, divisional, re-issue, design or plant patent applications.